

THE NATIONAL REGISTER.

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FOR THE NATIONAL REGISTER.

TO THE AMERICAN PEOPLE.

FELLOW CITIZENS.—At a moment of public anxiety, when your attention has been arrested by extraordinary circumstances, growing out of the peculiar condition of a part of your country, watching with no little interest the reiterated injuries and unprovoked machinations of a corrupt and despotic foreign government, and while too your negotiations are pending with her minister, you have been called on to witness the singular and unprecedented arraignment of a great, honest, and renowned patriot, for having checked the savage butcheries committed by the Indians on your frontiers, and the equally blood thirsty policy of outlawed and pillaging incendiaries. Allow me, therefore, to invite you to pause at the threshold of investigation, and calmly to view the state of the question whereon you must ultimately express your opinion.

The constitutional doctrines, the love of freedom, the abomination of military supremacy, an hatred to cruelty, a devotion to the precepts of divine, natural, and national law, by which gentlemen profess to be guided, on this particular occasion, I trust are not more sincerely maintained and felt by them, than the individual who now addresses you. The arguments, or rather the declamations, of men to prove the motives by which they are actuated, the history of the world has shown, that, however false or untrue, ostensibly rest upon disinterested bases—the honor, the glory, and prosperity of their countrymen. Even the despotic usurper, who views the sceptre within his grasp, or who feels the majesty of its weight and authority, is wonderfully cautious to impress his veriest slaves, who flatter the meanest of his vices and his follies, with the idea of the reverence he entertains for the institutions of the empire, and the deep interest with which he is animated for the purity, morals, independence, and civil concord, of its subjects. The most arch, consummate, and successful conspirator that ever lived, kept up the show of respect and regard for the ancient forms of the Roman republic, and at the instant he seized its palladium, declared it to be for the safety and preservation of the state. Such have been the avowed objects of all who have attempted to impose upon the people, and on the ruin of others to build the superstructure of their own political fortunes. I will not accuse to you the hopes and wishes of those who have assailed the conduct of general Jackson. They may be honest and upright, but it is a strange inconsistency to extol his successes and wisdom, and in the next breath to acquit him of any evil intentions in his late operations in Florida, leaving the inference to be deduced of an ignorance of the law of God and man in him whose able and skilful warlike combinations, whose treaties

and stipulations, whose correspondence and character have pourtrayed a profound knowledge of the rights of mankind, and the proper policies to be pursued by his government under the guidance and sanction of those rights.

Let us take a succinct survey of the grounds upon which those who differ with me upon this subject endeavor to establish their conjectures. In entering their solemn protest against the *proceedings* of the war, they condemn, without exception, the whole of its administration, where no higher authority has been concerned than that of the commanding officer. But what were the arguments displayed? The executive had violated the constitution—the general had turned a deaf ear to the voice of clemency, and immolated on the *murderous altar* of the executioner, the mild maxims of Christianity! The fair reputation of America, heretofore unsullied as the white mantle of the seraphim, was stained with the blood of *innocent and unoffending* victims! As their enthusiastic advocates expanded and glowed upon the subject, you would have imagined the clotted gore of those unfortunate wretches ascended with an invocation to Heaven for a speedy and omnipotent retribution! That the afflictions and melancholy sorrows of the wild aboriginal tenant of the forests of America, had only been atoned and ameliorated by the blood of the infant, the wife, and the brother, of the frontierman, who *ought not to complain* under so equitable a dispensation of an all wise and benevolent Creator! It would have seemed, that, at a rapid stride, we had encompassed an immeasurable desert, and planted ourselves far beyond the extreme edge of our legal possessions, and designed to wage a predatory and exterminating warfare against the deluded followers of the Indian prophets, and the dupes of English emissaries! That we had spared neither their persons, their property, their superstitions, nor their holy religion—all, all had sunk beneath the covetous, avaricious, and overwhelming march of our ambition! Nay, the great Indian public law itself, which had sacredly descended through so many years untouched and uninjured in its original purity, peace, and perfection, had vanished before the intense military fury of a western chieftain! The poor, wretched, and misguided savages had been deceived, decoyed, ambuscaded, surprised, and aggravated. We had insulted their pagan gods, devastated their lands, laid waste their towns, and in the *memorably execrable* treaty of Fort Jackson sowed the seeds of all our subsequent troubles! It was there that the red man had asked for bread, and we had given him a stone—that he had sued for peace, and we had given him a sword! It was there, the hideous maxims of Roman conquest had crept into our moderate and uniformly equal policy! Such is a plain and unexaggerated picture of the high-toned sentiments divulged by some who consider themselves, at least at this time, the exclusive friends of the constitution. Whether, in aiming at argument, they have fallen into declamation, and have had the temerity, unfairly, to arrogate to themselves the praise of fighting the battle of the nation, or whether they are contending in the *carte* and

tice of an irritated and circumscribed party phalanx, must be submitted to your discernment, and not their boasts, to decide.

But to the constitutional question. It has been argued that the operations in Florida actually constituted a war, and that the war-declaring power is in Congress. Without controverting either of those two points, what is the conclusion? Why, admitting the latter, in the fullest extent of which it is susceptible, the former stands in that qualified attitude, the result of the circumstances and causes which produced it, and must necessarily attach to it its primary and fundamental character. And from the aspect it has thus assumed, I hazard nothing in entering on the defence of the administration and the general. Adverting to the manifold examples in history, it will not be denied that wars are sometimes wholly defensive, and retain this peculiarity, so long as the immediate, and general, and essential public security, depends thereon, whatever complexion the ways and means of supporting them may acquire in the different stages of their progress. In contradistinction to this explanation, the illustration of an offensive war, as adopted from experience and observation, is to be found at the root of ambition, and receives its determinate stamp from the hand of conquest. The first, however, alluded to, is of a mixed nature, and not merely defensive, but absolutely necessary to self-preservation. In the long series of events which it may produce, it is immaterial whether the posture of the original aggressor becomes that of a trembling, and cowardly, and almost exhausted foe, the primitive character of the war, or what, perhaps, would be a stricter term, of the defence, is unchanged, and does not require, by the rules and obligations incident to it, that having pursued the perpetrator to his den, (where, if you bay and watch, you may ultimately destroy him, and consequently remove the object of your fear and annoyance) the victorious patriot should fall back upon his own ramparts, within his own territory, and wait a second, and very likely more vigorous and dangerous attack, from the resuscitated courage and resources of the enemy. If he were bound to do so, even by an existing treaty, touching a neutral territory, although the treaty had not been infracted, and supposing the obligation to proceed from some general construction given to it, it would cease to be binding, as its effect would impair the right of a sufficient protection, and prostrate, with ignominy, the majesty of all civil compacts. I put this extreme case, to demonstrate the impossibility of occupying a position, which, in relation to other nations, would arrest and paralyze the use, direction, and defence, of your own hands, and eradicate the claim, thus situated, the people have upon the real executive of the country to shield their helplessness, and provide for the welfare of their lives and their fortunes.—A difference, as to names, may be contended for, and although sticklers would quibble, even here, for the appellation of war, fairly speaking, it is a mere defence. But I will resign to their most wanton malignity the name, while on all hands the explanation is conceded. Under this view of the war, or as I denominate it, of the defence, I ask, was it not competent to the President to undertake its objects, and honorable in the commanding officer to employ the ablest means in their consummation? Or was it of such a nature, involving so many perils to our freedom

and institutions, that the force of the nation should remain merely dangling on its oars, with folded arms, while Congress sat in cold debate over the mangled bodies and smoking blood of the frontiersmen, women, and children? Where was the wrong in the exercise of this mighty prerogative? Is not the President bound, religiously, morally, and legally, to see the laws faithfully executed, and to preserve the soil of the republic from invasion; and, above all, the citizens from torture, and violence, and rapine, and murder? Where is the clause of that constitution, we all revere, prohibiting this? Where is the law remotely disapproving it? Has he not the highest existing authority to call out the militia, and employ the active force of the country to suppress insurrections and repel invasions? And have not your fellow Christians and citizens been horribly murdered by monsters, pretending to the rights of human beings? Has not your peaceful home been changed, by the howl of the prowling savage, into an echoing vault of death; and invasion, stalking forth into the consecrated hearth and altar of your nuptial affections, and beneath the eye of the husband or the parent, forever blotted from the book of time the living wedlock of his love; and the filial picture of his hopes and happiness? And is not all this invasion? If not, I dauntlessly challenge the champion of opposition to promulge his definition! Perhaps, he might say, the wave of blood has not rolled far enough upon the centre of civilization and population! It had not yet reached to the capital of Georgia. In the name of God, does our constitution know any distinction between the brave, generous, noble-minded borderer, and the luxurious nabob of a wealthy city? Or are the verges of our territory to be made outcasts and fragments to the auxiliary arm of the government, and suffered, like the provinces of Rome, at the period of her declension, to be converted from seats of security and tranquillity, into theatres, on which the tigers of the human species may whet their fangs, and glut their voracious cruelty, unharmed, unavenged, and triumphant, in the heart's blood of the Backwood's Settler! Who is prepared to proclaim to his constituents, "this is my doctrine! Look at it! See it in characters of blood! Behold—this is the crimsoned liturgy of my constitutional creed!" Merciful Heaven! is such the awful compact of "passive obedience and non resistance," by which we were joined together? Is this the true image of our Union? No! we are the genuine constitutionalists who declare, practically, self-preservation an omnipotent law of our nature, and the poorest individual to be entitled to the exercise of its greatest and most transcendent privileges. So far, then, from admitting the President and the general have violated the constitution, I unhesitatingly pronounce, they would have been guilty of an act of flagrant omission, in tamely looking on the sanguinary incursions of a profigate, barbaric, and unmerciful tribe of brigands. When, therefore, they undertook to repel them, a consistent part of that policy, one inseparably incidental to it, was to disperse the hellish hordes from which they issued, and whether cherished in the deep morasses of extensive lakes, or in the fertile bosom of an envious and treacherous member of Christendom, to break up their nightly orgies, and weaken, if not totally annihilate, their strength and resources, by subverting the fountains from which they were drawn. Through-

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out, the policy would continue exclusively defensive. It was not the fugitive and flashing peace of the moment that could crown and perfect the defence; but one which would rest on pillars of light in the profound retreat of the miscreants—and in which we might proclaim, Israel again is safe!

The parallel, which I trace, between a war declared by the established authorities, for just causes, which may become defensive, and that which grows out of a defence, founded upon the highest existing law, and provoked by inhuman and midnight invasion, plunders, and massacres, and which must, generally, to be rendered effective, react upon the invaders, is fair, clear, and unsuspicious, sustained as well by all law as our own peculiar institutions and legislative acts. The former is a war embracing the grand prerogatives of Congress—the other is sanctioned by the spirit and letter of our constitution, and in extreme cases of actual or impending danger, solely confided to the Executive, although it is the undoubted right of the legislature to anticipate the event. No man, however, who seriously contemplates the organization of our confederacy, considering the recess which always follows the exercise of legislation, can believe an invasion may be made, at such an interval, without a resort to be had, anywhere, to a power entrusted with the immediate right to meet and repel it, and place in security the vulnerable part at which the assault has been directed. Sophists may rack their ingenuity to describe limits to a defence, and yet be entangled and confounded in an endless series of vain speculation, while circumstances are beyond the control of legislation, and, in their various and incalculable fluctuations, force and shape the course and system of that defence. But the objections wielded with the greatest force against the occupation of Florida, are the violations tauntingly asserted to have been committed on neutral ground, and the usurped power of determining when and where a treaty has been neglected, or openly put to defiance, and what remedy should be applied to so disgraceful a breach of faith. Separate, however, the matter from the mazes of legal metaphysics. When Spain ceased to fulfil her pledges to the United States, all obligation upon us, as it respected the objects of her neglect, were absolutely dissolved, and she thereby tacitly acknowledged the physical superiority of the Indian she was bound to restrain; and though without constituting any sovereign right of eminent domain in them, her provincial government was comparatively at their mercy, and the system of our defence consequently to be followed by their entire subjugation, and reinstating, as it were, in the possession of the former her own strength, or left imperfect and insufficient for its avowed purposes. The object of that part of the treaty was security; and as parties thereto, on its failure, we had the plenary right, under the supreme law of the land, of which the President is created, at the instant of the ratification, the residuary executor, so far as it touches the lives and property of our citizens, to prevent the ruin which would inevitably ensue. I repeat it, what is the evidence of facts in the progress of our defence? The outlawed savages, so called by a vast and overwhelming majority of their own brethren, already traversed the Spanish territory wherein they were inhabitants, and claimed an indisputable home, from the utmost latitude of our line to the

metropolis, unawed, unregulated, and as the lawless masters of the soil. Had not the province, as it affected us, changed hands? Was it not, instead of the governor of Pensacola, or the commandant of St. Marks, the Big Warrior or the Little Prince who controlled the sceptre of dominion? Yes: from this mixed and heterogeneous sovereignty the evils of an abominable and blood thirsty warfare were pouring in upon our frontiers! The dastardly representatives of the broken, decayed, and sad remnant of Castilian glory had fallen, useless, enfeebled, and terror-struck, even at the menace of the black haired chiefs of the woods, and stood before them the confessed and plaint accessories to their hell hound rapacity! Where was the treaty then? Under the foot of the savage, in contemporaneous homage, with the neck of its master! Could we halt to parley? Could we hesitate to act? Another and another hour tore forth new wounds, and added an infant's or a mother's scalp to the hundreds that were then suspended in council to kindle the revenge and infuriated devotions of the barbarian vagabond! The only alternative was to strike where the lion prowled, and overcome his designs in the dark cells of his den. Our defence unavoidably involved in it the measures which resulted in victory and protection. Place, therefore, your finger upon the map, and take with you the recent history of that country, and your doubts will be satisfied and your judgment convinced, it was justified by our constitution, by the laws of nations, and the still more imperious and authoritative laws of nature and of God. A self-defence, so entirely paramount to all subtleties and objections, is co-extensive and invariable in its character, with the whole consistent plan of operations, rendered essential to its final establishment. It was in this peculiar situation of things, that every object and quarter pervaded by the belligerent condition of the savage, yielded their own original features to his coercive ability, lost the very name to which they were entitled, and, without the possibility of relief, sunk under the blow that levelled the iron rod which had neutralized their independent character.

Permit me now to draw your attention to the retaliatory measures the hero of so many victories found it incumbent on him to pursue, while combating the homogeneous crew of a dark and nefarious conspiracy. The anterior views I have presented have not been altogether disputed by those who differ with me in relation to the cases we are about to consider. A few endeavor to seem as if they would exculpate the President, provided they could make an unconditional sacrifice of the general. I will not impeach their motives, or inquire into the cause of such glaring casuistical variances. They are absurdities I submit to your better judgment to unravel. Remember, however, the solitary insulated station of the warrior, of whom even his friends are jealous, without an office to give, or patronage to cover and protect his acts, is far below the towering attitude of the first magistrate of a republic, who holds, as it were, the purse strings of the treasury, and distributes, at his nod, the most lucrative and honorable titles and employments under the government. I would admonish gentlemen, if admonition be not considered as offering a contempt to their understanding, that if they dissemble their real emotions towards the more prominent personage, they but increase his reserve and sus-

picion of the attachment it implies, and only warn him of the inefficiency of their wavering support, while he observes their settled opposition, borne along the ample tide of hope and experiment, against the man with whom he has deliberately chosen to identify himself.

The great crime imputed to Jackson is the punishment of the wretches who excited, aided, and abetted, in the butchery of helpless babes, and the shameless, wanton, and inhuman dishonor of suppliant women. And upon this point, what is the argument advanced? Our attention has been invited to the period at which we assume to "interpolate the Indian public law with revolting cruelties!" The Indian public law! and pray when is this? When we are strong, the lords of the soil, and the degraded aborigines are weak, emaciated, and sunk into a disgraceful servitude to our will! I challenge the epoch of our history, when the clemency exercised to this unfortunate cast of beings was milder, or more universal, than at the present day. The charge, too, of having divested them of their land, *coveting our neighbors' goods*, is echoed to the transatlantic reproach. It is forgotten, that in the immense waste between our remotest border and the Pacific tide, there is room for ten times ten their number; or, that almost within the sphere of a single nation of Indians, there is space enough, according to the ordinary arrangements of civilization, to receive every tribe belonging to the northern section of the continent. But we have violated "the Indian public law by revolting cruelties." For myself, consulting their habits, customs, and manners, I am unadvised of any other definition their sachems have given to this, than that which is engraven by the scalping knife and indented by the tomahawk, in the very precept and spirit of the boasted *Indian public law* might be pleaded an extenuation of the severest punishments. It has neither a Bible nor an Alcoran on which to rest—it is literally inscribed in blood, and built upon human hecatombs! Go to the river Raisin—ransack the north-western campaigns from their earliest date, and the practice of its principles will be found to have continued immutably the same—the armed, the unarmed, and the prisoner, to have shared alike, either death, or the more refined horrors of the stake! Travel round to the South—pause at Fort Mims—listen to the mournful recital of its catastrophe, and the burning blood of the mother and the child will whisper agonies, of which your wildest fancy can form no conception! Tell me not, then, that we have "interpolated the Indian public law with revolting cruelties"—but at once allow the mind to yield itself to the conclusion, necessity has reduced us to a policy carrying with it a retributive force and equity in its decisions and effects.

While we bear, in one breath, the complaint of our having despoiled the fine texture of the Indian code; in the next, it is guardedly insinuated, that the most respectable writers declare retaliation only justifiable as calculated to produce "effect." Here is a fair and undisguised confession, that, when thus qualified, it is justifiable. But it is asserted to have no influence upon the Indian! I appeal to experience! Answer me. Is not all history against the denial? What has been the

* The idea and words were used by a M. H. R. in the debate, who was friendly to Mr. Nelson's resolutions.

† See the debate on this subject in the House of Representatives.

security of every Indian treaty? Not fidelity or honor, but fear! In all ages it has reigned predominant in the rude and the cultivated mind. What was it that ensured a performance of the truce and capitulation of the northern Goth, when he hung, with his collected legions, upon the barriers of the Roman republic? Nothing but a terror of the veteran army of Aurelian, which, in the event of his proving faithless, threatened him with instant destruction. And depend upon it, such is the construction of human, as well as animal nature, that where you operate judiciously upon this sensation, the effect will be broad and palpable. To this, however, it is rejoined, the Indian prisoner is disgraced, and it is a mercy to take his life. But if any thing, it adds a double justification. In his just execution for unprovoked murders, you satisfy the law and fill up the extent of whatever compassion can be shown to the unhappy victim. And as to the whitemen who were condemned and executed, they had become outlaws to the forms of justice, dissociated themselves from the claims of the ordinary rules of trial, and it was not worth the inquiry whether they were combatants, provided their information, intelligence, skill, and cunning, had been employed to combine the arts of assassination and rapine.

The fundamental basis of all military operations, is retaliation—whether excited in the fresh combat upon the field, or meditated in a pass, or an ambuscade, or upon prisoners under the sanctity of your flag. It must depend upon your enemy how far you carry the retaliation. If his exertions have been directed against the helpless and the innocent, and who were not lawful objects of warfare, and to spill whose blood it became as much a crime as if it fell from the heart of a brother, the act at once constitutes him a murderer and an outlaw, and subjects him (whether as principal or accessory) to the immediate sentence of the general, or a subaltern, maintaining the *separate command*. For all other powers are concluded, under such circumstances, and there lies but one question—has the wretch subjected himself to the judgement pronounced on an illegal species of warfare? It is not material, that he is a savage—ignorance or education cannot shield the culprit—nor can the Christian cast his mantle over his iniquities! And for the civilized desperado, there is no greater palliation! if there is any difference, his is a more aggravated, heinous, and unpardonable offence! A fictitious mask of benevolence and philanthropy, which transiently hides the craft and dissimulation of the arch hypocrite, while he plots and foments the discords of rebellion, or the equally terrible designs of indiscriminate theft and slaughter, may contribute sophistry for the tongue of the mercenary advocate or the corrupt judge, but cannot, even to the most fertile apologist, afford a substantial argument for acquittal and justification! Against his execution remonstrance would fall powerless and contemptible at the fiat of justice.

What, for example, is the tenure by which man holds his life? That of a natural and absolute right derived from the supreme ruler of the universe. And how is it forfeited? By violating the *moral and natural obligations* of society, or in other words, those peculiar duties and privileges to which every individual has an irrevocable and inalienable claim, according to the laws of dependence and relation. Therefore, in the management of a de-

fence to which you have been driven by foul, and corrupt, and unnatural machinations, what can be more just than to retaliate upon the heads of the principals, who have disowned, as it were, their allegiance to humanity and law, and irremediably lost their innate pretensions to liberty and life, the enormities to which their demoniac contrivances have given existence, and to which language can apply no adequate epithet? The mere tools of their dark purposes, vegetating in an unlettered stupidity, and only acquiring heat and motion, from the steam and stews of their more polished, practised, and wily barbarity, might, in a disposition of pity and forgiveness, be sheltered, with a pardon, where the warrant of death could reach the powerful projectors of such wicked and hateful deeds. While they remained no security could be hoped for—the future would be a faithful mirror of the past. You might smite the branches of the great tree one by one to the earth, but if you left its strong, massive, and incorrigible body standing unburst and glorying in your credulity, it would soon put forth new and wider shoots, and scatter again, on all sides, its deadly fruit. The only alternative was the destruction of those who infused vigor and energy into the direful policies of a savage war.

In fine, what is the principle laid down by one of the ablest legal commentators, and in which all others concur, in regard to war? "That if the cause and end of the war be justifiable, all the means that appear necessary to the end are justifiable also." This is the principle, he continues, which defends those extremities to which the violence of war usually proceeds: for since war is a contest by force, it has naturally no boundary but that in which force terminates, the destruction of the life against which the force is directed." Consequently, as no gratuitous barbarity can be attributed to any act in war, which eventually becomes conducive, or is absolutely necessary, to its termination, it is perfectly consistent with the rules, obligations, and principles of law, whether martial, civil, natural, or revealed. Viewing the subject, then, placed upon such immovable ground, it is useless and worse than vain, to array this code or that system, with its forms and technicalities, in order to impugn or arrest the retaliation, for it is strictly an act of war, and competent to none to decide and execute, but the commanding officer himself. He will take care to make the only question proper to be determined, whether the mandate of natural law, the substratum of all other laws, will be obeyed. Superadded to every other reason adduced, if the character of the enemy is such as to lay him open to the intrigues of impostors and incendiaries, who would reproduce by their arts after a short interval of peace, and when the conqueror's arms were withdrawn, the same state of anarchy, discord, and massacre, the dernier mode of prosecuting the war to successful issue, would be dictated by self-preservation, and involve in it the ruin and downfall of the instigators. Generosity cannot appease them, moderation will teach them no lesson, and the concord, safety, and happiness of society, loudly demand their death. For with their dissolution would perish the real causes of war, and time and tranquillity would, if it were possible, open the door to oblivion. For one moment suppose these malefactors to have been passed by, and the black clouds of affliction would have hovered over every cottage of your line, and its poor, harmless,

unoffending, innocent inmates!—Should they have been suffered, again, to mature the festering fires of their bloody and rancorous ambition? No! The voice of reason cries, No! No! the long catalogue of their crimes has, already, pronounced their doom. Consult the security of the infant, the wife and the husband, and, in mercy to the living, perpetuate its awful monitory. Placing, therefore, the execution of Arbuthnott and Arnbrister, who merged their character in that of the Indian, upon the basis of natural law, calculating the mischiefs they had caused, the insuperable necessity of putting a period to their desolating influence; considering, also, the impracticability of achieving this in any other way, which could be devised, as final and effective, and, lastly, contemplating, together with the justice and present tendency of the measure, its future example and consequences, experience and reason coalesce in proclaiming their approbation of the conduct of General Jackson.

As to the imputation of the unfeeling may attempt to cast upon the motives of the general, I class it with its authors as too contemptible, mean, and unworthy, to demand a serious refutation. The book of his life is before you and, I am persuaded, it would be a direct and malignant insult to your gratitude and understanding for any man to pretend to suppose it was necessary. Let the aged and the infirm—let the females of Orleans be asked whether when the British Lion, fresh from the sack of Washington, waved before their city, the intentions of the general were doubted on the memorable plains of Chalmette?—No! I am wrong—for they would not stoop to listen to so base an interrogatory. Conscious of the responsibility he assumed, and how careless he was of the result to himself, on their bended knees they thank their God, he was made the happy, honorable, and glorious, instrument of subduing the enemy, and of shielding from his libidinous and avaricious lusts their persons and their fortunes. And upon such durable and virtuous monuments of his fame, are written in legible and universally acknowledged characters, the intentions of his heart, over which the saint might meditate without a blush, the philosopher pause, while he gathered the rich treasures of their instruction, and with whom the hero should unite in their imitation and applause.

PLINY.

MR. ADAMS' LETTER.

The Secretary of State of the United States, to the Minister Plenipotentiary of the United States to Spain, at Madrid, (No. 7.)

Department of State,
Washington, 25th Nov. 1818.

Sir,—Your despatches, to No. 92, inclusive, with their enclosures, have been received at this Department. Among these enclosures, are the several notes addressed to you by Pizarro, in relation to the transactions during the campaign of General Jackson against the Seminole Indians and the banditti of Negroes combined with them, and particularly to his proceedings in Florida, without the boundaries of the United States.

In the fourth and last of those notes of Mr. Pizarro, he has given formal notice that the king, his master, has issued orders for the suspension of the negotiation between the United States and Spain, until satisfaction shall have been made by the American government to him for these pro-

ceedings of general Jackson, which he considers as acts of unequivocal hostility against him, and as outrages upon his honor and dignity; the only acceptable atonement for which, is stated to consist in a disavowal of the acts of the American general thus complained of—the infliction upon him of a suitable punishment for his supposed misconduct, and the restitution of the posts and territories taken by him from the Spanish authorities, with indemnity for all the property taken, and all damages and injuries public or private, sustained in consequence of it.

Within a very few days after this notification, Mr. Pizarro must have received, with copies of the correspondence between Mr. Onis and this Department, the determination which had been taken by the President, to restore the place of Pensacola, with the fort of Barrancas, to any person properly authorized, on the part of Spain, to receive the same, and the fort of St Marks to any Spanish force adequate to its protection against the Indians, by whom its forcible occupation had been threatened, for purposes of hostility against the United States. The officer commanding at the post, has been directed to consider 250 men as such adequate force; and, in case of their appearance, with proper authority, to deliver it up to their commander accordingly.

From the last mentioned correspondence, the Spanish government must likewise have been satisfied that the occupation of these places in Spanish Florida, by the commander of the American forces, was not by virtue of any order received by him from this government to that effect, nor with any view of wresting the province from the possession of Spain; nor in any spirit of hostility to the Spanish government; that it arose from incidents which occurred in the prosecution of the war against the Indians—from the imminent danger in which the fort of St. Marks was of being seized by the Indians themselves, and from the manifestations of hostility to the United States, by the commandant of St. Marks and the Governor of Pensacola, the proofs of which were made known to general Jackson, and impelled him, from the necessities of self-defence, to the steps of which the Spanish government complains.

It might be sufficient to leave the vindication of these measures upon those grounds, and to furnish, in the enclosed copies of general Jackson's letters, and the vouchers by which they are supported, the evidence of that hostile spirit on the part of the Spanish commanders, but for the terms in which Mr. Pizarro speaks of the execution of two British subjects, taken, one at the fort of St Marks, and the other at Suwany, and the intimation that these transactions may lead to a change in the relations between the two nations, which is doubtless intended to be understood as a menace of war.

It may be, therefore, proper to remind the government of His Catholic Majesty of the incidents in which this Seminole war originated, as well as of the circumstances connected with it, in the relations between Spain and her ally, whom she supposes to have been injured by the proceedings of general Jackson, and to give to the Spanish cabinet some precise information of the nature of the business, peculiarly interesting to Spain, in which these subjects of her allies, in whose favor she takes this interest, were engaged, when their projects of every kind were terminated, in conse-

quence of their falling into the hands of general Jackson.

In the month of August, 1814, while a war existed between the United States and Great Britain, to which Spain had formally declared herself neutral, a British force, not in the fresh pursuit of a defeated and flying enemy—not overstepping an imaginary and equivocal boundary between their own territories and those belonging, in some sort, as much to their enemy as to Spain, but approaching by sea, and by a broad and open invasion of the Spanish province, at a thousand miles, or an ocean's distance from any British territory, landed in Florida, took possession of Pensacola and the fort of Barrancas, and invited, by public proclamations, all the runaway Negroes—all the savage Indians—all the pirates, and all the traitors to their country, whom they knew or imagined to exist within reach of their summons, to join their standard, and wage an exterminating war against the portion of the United States immediately bordering upon this neutral, and thus violated territory of Spain. The land commander of this British force, was a certain colonel Nicholls, who, driven from Pensacola by the approach of general Jackson, actually left, to be blown up, the Spanish fort of Barrancas, when he found he could not afford him protection, and, evacuating that part of the province, landed at another, established himself on the Appalachicola river, and there erected a fort, from which to sally forth with his motley tribe of black, white, and red combatants, against the defenceless borders of the United States, in that vicinity. A part of this force consisted of a corps of colonial marines, levied in the British colonies, in which George Woodbine was a Captain, II.—2.] and Robert Chrystie Armbrister was a Lieutenant.

LIX.] As between the United States and Great Britain, we should be willing to bury this transaction in the same grave of oblivion with other transactions of that war, had the hostilities of colonel Nicholls terminated with the war. But he did not consider the peace which ensued between the United States and Great Britain, as having put an end either to his military occupations or to his negotiations with the Indians, against the United States. Several months after the ratification of the treaty of Ghent, he retained his post and his party-colored forces, in military array.

II—2.] By the 9th article of that treaty, the United States had stipulated to put an end, immediately after its ratification, to hostilities with all the tribes or nations of Indians with whom they might be at war at the time of the ratification, and to restore to them all the possessions which they had enjoyed in the year 1811. This article had no application to the Creek nation, with whom the United States had already made peace, by a treaty concluded on the 9th day of August, 1814, more than four months before the treaty of Ghent was signed. Yet, colonel Nicholls not only affected to consider it as applying to the Seminoles of Florida, and the outlawed Red Sticks, whom he had induced to join him there, but actually persuaded them that they were entitled, by virtue of the treaty of Ghent, to all the lands which had belonged to the Creek nation, within the United States, in the year 1811, and that the government of Great Britain would support them in that pretension. He asserted also this doctrine in a correspondence with colonel Hawkins, then the agent of the United States with the Creeks, and

gave him notice, in their name, with a mockery of solemnity, that they had concluded a treaty of alliance, offensive and defensive, and a treaty of IX.] Navigation and Commerce with Great Britain, of which more was to be heard after it should be ratified in England. Colonel Nicholls then evacuated his fort, which, in some of the enclosed papers, is called the fort at Prospect Bluff, but which he had denominated the *British* post on the Appalachicola; took with him the white portion of his force, and embarked for England, with several of the wretched savages whom he was thus deluding to their fate—among whom was the Prophet Francis, or Hillis Hadjo—and left the fort, amply supplied with military stores and ammunition, to the Negro department of his allies. IV. V.] It afterwards was known by the name of Negro Fort. Colonel Hawkins immediately communicated to this government the correspondence between him and Nicholls, here referred to, (copies of which, marked No. 1 to 5, are herewith enclosed.) upon which Mr. Monroe, then Secre. X.] tary of State, addressed a letter, (copy marked G,) to Mr. Baker, the British Charge d'Affaires, at Washington, complaining of Nicholls's conduct, and showing that his pretence that the 9th article of the treaty of Ghent, could have any application to his Indians, was utterly destitute of XI.] foundation. Copies of the same correspondence were transmitted to the Minister of the United States, then in England, with instructions to remonstrate with the British government against these proceedings of Nicholls, and to show how incompatible they were with the peace which had been concluded between the two nations. XII a. b.] These remonstrances were accordingly made, first in personal interview with earl Bax XIII. a. b.] thurst and lord Castlereagh, and afterwards in written notes, addressed successively to them, (copies of which, together with extracts from the despatches of the American Minister to the Secretary of State, reporting what passed at those interviews, are enclosed.) Lord Bathurst, in the most unequivocal manner, confirmed the facts, and disavowed the misconduct of Nicholls; declared his disapprobation of the pretended treaty of Alliance, offensive and defensive, which he had made; assured the American Minister that the British government had refused to ratify that treaty, and would send back the Indians whom Nicholls had brought with him, with advice to make their peace on such terms as they could obtain. Lord Castlereagh confirmed the assurance that the treaty would not be ratified; and if, at the same time that these assurances were given, certain distinctions of public notoriety, were shown to the Prophet Hillis Hadjo, and he was actually honored with a commission, as a British officer, it is to be presumed that these favors were granted him as rewards of past services, and not as encouragement to expect any support from Great Britain, in a continuance of savage hostilities against the United States, all intention of giving any such support having been repeatedly and earnestly disavowed.

The Negro fort, however, abandoned by col. Nicholls, remained on the Spanish territory, occupied by the banditti to whom he had left it, and held by them as a post, from whence to commit depredations, outrages, and murders, and as a receptacle for fugitive slaves and malefactors, XIV.] to the great annoyance both of the United States and of Spanish Florida. In April, 1816,

general Jackson wrote a letter to the governor of Pensacola, calling upon him to put down this common nuisance to the peaceable inhabitants of XV.] both countries. That letter together with the answer of the governor of Pensacola, have already been communicated to the Spanish minister here, and by him, doubtless, to his government. Copies of them are, nevertheless, now again en- XXIII.] closed; particularly as the letter from the governor, explicitly admits—that this fort, constructed by Nicholls, in violation both of the territory and neutrality of Spain, was still no less obnoxious to his government than to the United States; but, that he had neither sufficient force, nor authority, without orders from the governor general of the Havanna, to destroy it. It was afterwards, on the 27th July, 1816, destroyed by a cannon shot from a gun vessel of the United states, which, in its passage up the river, was fired upon from it. It was blown up, with an English flag still flying as its standard, and immediately after the barbarous murder of a boat's crew, belonging to the navy of the United States, by the banditti left in it by Nicholls.

In the year 1817,* Alexander Arbuthnott, of the Island of New Providence, a British subject, first appeared, as an Indian trader in Spanish Florida; and as the successor of colonel Nicholls, in the employment of instigating the Seminole and outlawed Red Stick Indians to hostilities against the United States, by reviving the pretence that they were entitled to all the lands which had been ceded to the Creek Nation by the United States, in August, 1814. As a mere Indian trader, the intrusion of this man, into a Spanish province, was contrary to the policy observed by all the European Powers in this hemisphere, and by none more rigorously than by Spain, of excluding all foreigners from intercourse with the Indians, within their territories. It must be known to the Spanish government, whether Arbuthnott had a Spanish license for trading with the Indians in Spanish Florida or not;† but they also know that Spain was bound by treaty, to restrain by force all hostilities on the part of those Indians, against the citizens of the United States, and it is for them to explain how, consistently with those engagements, Spain could, contrary to all the maxims of her ordinary policy, grant such a license to a foreign incendiary, whose principal, if not his only object, appears to have been, to stimulate those hostilities which Spain had expressly stipulated by force to restrain. In his infernal instigations he XLIX.] was but too successful. No sooner did he make his appearance among the Indians, accompanied by the prophet Hillis Hadjo, returned from L.] his expedition to England, than the peaceful inhabitants on the borders of the United States, were visited with all the horrors of savage war; the robbery of their property, and the barbarous and indiscriminate murder of woman, infancy, and age.

After the repeated expostulations, warnings and offers of peace, through the summer and autumn of 1817, on the part of the United States, had been L a.] answered only by renewed outrages, and LXI.] after a detachment of forty men, underlieu-

* It should have been said, in October, 1816.

† By a letter from the Spanish governor of St. Augustine, Jose Coppinger, (No. 67, of the documents which we shall hereafter publish,) it appears that he had no such license. In writing to "Boleck, chief of the Seminole tribe of Indians," governor Coppinger describes Arbuthnott and his coadjutors, as persons "with bad intentions."

tenant Scott, accompanied by seven women, had been waylaid and murdered by the Indians, orders were given to general Jackson, and an adequate force was placed at his disposal, to terminate the war. It was ascertained that the Spanish force in Florida was inadequate for the protection even of the Spanish territory itself, against this mingled horde of lawless Indians and Negroes; and although their devastations were committed within the limits of the United States, they immediately sought refuge within the Florida line, and there only were to be overtaken. The necessity of crossing the line was indispensable; for it was from beyond the line that the Indians made their murderous incursions within that of the United States. It was there that they had their abode, and the territory belonged in fact to them, although within the borders of the Spanish jurisdiction. There it was that the American commander met the principal resistance from them; there [XL.] it was, that were found the still bleeding scalps of our citizens, freshly butchered by them; there it was that he released the only woman, who had been suffered to survive the massacre of the party under lieutenant Scott. But it was not anticipated by this government that the commanding officers of Spain, in Florida, whose especial duty it was, in conformity to the solemn engagements contracted by their nation, to restrain, by force, those Indians from hostilities against the United States, would be found encouraging, aiding, and abetting them, and furnishing them with supplies, for carrying on such hostilities. The officer in command, immediately before general Jackson, was, therefore, specially instructed to respect, as far as possible, the Spanish authority, wherever it was maintained, and copies of those orders were also furnished to general Jackson, upon his taking the command. In the course of his pursuit, as he approached St. Marks, he was informed, direct from the Governor of Pensacola, that a party of the hostile Indians had threatened to seize that fort, and that he apprehended the Spanish garrison there was not in strength sufficient to defend it against them. This information was confirmed from other sources, and by the evidence produced upon the trial of Armbister, it proved to have been exactly true. By all the laws of neutrality and of war, as well as of prudence and of humanity, he was warranted in anticipating his enemy, by the amicable, and that being refused, by the forcible, occupation of the Fort. There will need no citations from printed treatises on international law, to prove the correctness of this principle. It is engraved in adamant on the common sense of mankind; no writer upon the laws of nations ever pretended to contradict it; none of any reputation or authority ever omitted to assert it.

[XXXIV.] At fort St. Marks, Alexander Arbuthnott, the British Indian trader from beyond the seas, the firebrand, by whose torch this Negro Indian war against our borders had been rekindled, was found an inmate of the commandant's family; and it was also found that, by the commandant himself, councils of war had been permitted to be held within it, by the savage chiefs and warriors; that the Spanish store-houses had been appropriated to their use; that it was an open market for cattle, known to have been robbed by them from citizens of the United States, and which had been contracted for and purchased by the officers of the garrison. That information had been afforded from this fort by Arbuthnott, to the enemy, of the

strength and movement of the American army that the date of the departure of express had been noted by the Spanish Commissary, and ammunition, munitions of war, and all necessary supplies furnished to the Indians.

The conduct of the governor of Pensacola was not less marked by a disposition of enmity to the United States, and by an utter disregard to the obligations of the treaty, by which he was bound to restrain, by force, the Indians from hostilities against them. When called upon to vindicate the territorial rights and authority of Spain, by the destruction of the Negro fort, his predecessor had declared it to be not less annoying and pernicious to the Spanish subjects in Florida, than to the United States, but had pleaded his inability to subdue it. He himself, had expressed his apprehensions that fort St. Marks would be forcibly taken by the savages, from its Spanish garrison; yet, at the same time, he had refused the passage up the Escambia river, unless upon the payment of excessive duties, to provisions destined as supplies for the American army, which, by the detention of them, was subjected to the most distressing privations. He had permitted free ingress and egress at Pensacola, to the avowed savage enemies of the United States. Supplies of ammunition, munitions of war, and provisions had been received by them from thence. They had been received and sheltered there, from the pursuit of the American forces, and suffered again to sally thence, to enter upon the American territory and commit new murders. Finally, on the approach of general Jackson to Pensacola, the governor [XXXIII.] sent him a letter, denouncing his entry upon the territory of Florida, as a violent outrage upon the rights of Spain, commanding him to depart and withdraw from the same, and threatening, in case of his non-compliance, to employ force to expel him.

It became, therefore, in the opinion of general Jackson, indispensably necessary to take from the [LIV.] governor of Pensacola the means of carrying his threat into execution. Before the forces under his command, the savage enemies of his country had disappeared. But he knew that the moment those forces should be disbanded, if sheltered by Spanish fortresses, if furnished with ammunitions and supplies by Spanish officers, and if aided and supported by the instigation of Spanish encouragement, as he had every reason to expect they would be, they would reappear, and fired, in addition to their ordinary ferociousness, with revenge for the chastisement they had so recently received, would again rush with the war hatchet and scalping knife, into the borders of the United States, and mark every foot-step with the blood of their defenceless citizens. So far as all the native resources of the savage extended, the war was at an end, and general Jackson was about to restore to their families and their homes, the brave volunteers who had followed his standard, and who had constituted the principal part of his force. This could be done with safety, leaving the regular portion of his troops to garrison his line of forts, and two small detachments of volunteer cavalry, to scour the country round Pensacola, and sweep off the lurking remnant of savages, who had been scattered and dispersed before him. This was sufficient to keep in check the remnant of the banditti, against whom he had marched, so long as they should be destitute of other aid and support. It was, in his judgment, not sufficient,

if they should be suffered to rally their numbers under the protection of Spanish forts, and to derive new strength from the impotence or the ill will against the United States of the Spanish authorities.

He took possession, therefore, of Pensacola and of the fort of Barrancas, as he had done of St. Marks, not in a spirit of hostility to Spain, but as a necessary measure of self-defence; giving notice that they should be restored whenever Spain should place commanders and a force there, able and willing to fulfil the engagements of Spain towards the United States, of restraining, by force, the Florida Indians from hostilities against their citizens. The President of the United States, to give a signal manifestation of his confidence in the disposition of the King of Spain, to perform with good faith this indispensable engagement, and to demonstrate to the world that neither the desire of conquest nor hostility to Spain, had any influence in the councils of the United States, has directed the unconditional restoration to any Spanish officer, duly authorized to receive them, of Pensacola and the Barrancas, and that of St. Marks to any Spanish force adequate for its defence against the attack of the savages. But the President will neither inflict punishment, nor pass a censure upon general Jackson for that conduct, the motives for which were founded in the purest patriotism, of the necessity for which he had the most immediate and effectual means of forming a judgment, and the vindication of which is written in every page of the law of nations, as well as in the first law of nature, self-defence. He thinks it, on the contrary, due to the justice, which the United States have a right to claim from Spain; and you are accordingly instructed to demand of the Spanish government, that inquiry shall be instituted into the conduct of Don Jose Mazot, governor of Pensacola, and of Don Francisco C. Llengo, commandant of St. Marks, and a suitable punishment inflicted upon them for having, in defiance and violation of the engagements of Spain with the United States, aided and assisted these hordes of savages in those very hostilities against the United States, which it was their official duty to restrain. This inquiry is due to the character of those officers themselves, and to the honor of the Spanish government. The obligation of Spain to restrain, by force, the Indians of Florida from hostilities against the United States and their citizens, is explicit, is positive, is unqualified. The fact, that for a series of years they have received shelter, assistance, supplies and protection, in the practice of such hostilities from the Spanish commanders in Florida, is clear and unequivocal. If, XXXII.] as the commanders both at Pensacola XLII.] and St. Marks have alleged, this has been the result of their weakness, rather than of their will, if they have assisted the Indians against the United States to avert their hostilities from the province, which they had not sufficient force to defend against them, it may serve, in some measure, to exculpate, individually, those officers, but it must carry demonstration irresistible to the Spanish government that the right of the United States can as little compound with impotence as with perfidy, and that Spain must immediately make her election, either to place a force in Florida adequate at once to the protection of her territory and to the fulfilment of her engagements, or cede to the United States a province, of which she retains nothing but the nominal possession;

but which is, in fact, a defile open to the occupancy of every enemy, civilized or savage, of the United States, and serving no other earthly purpose than as a post of annoyance to them.

That the purposes, as well of the Negro, Indian banditti, with whom we have been contending, as of the British invaders of Florida, who first assembled and employed them, and of the British intruding and pretending traders, since the peace, who have instigated and betrayed them to destruction, have been not less hostile to Spain than to the United States, the proofs contained in the documents herewith enclosed, are conclusive. Mr. Pizarro's note of 29th of August, speaks of His Catholic Majesty's profound indignation at the "sanguinary executions, on the Spanish soil, of his subjects of powers in amity with the King"—meaning Arbuthnott and Armbister. Let Mr. Pizarro's successor take the trouble of reading the enclosed documents, and he will discover who Arbuthnott and Armbister were, and what were XLIX.] their purposes: That Arbuthnott was only LVIII.] the successor of Nicholls, and Armbister the agent of Woodbine, and the subaltern of McGregor. Mr. Pizarro qualifies general Jackson's necessary pursuit of a defeated savage enemy beyond the Spanish Florida line, as a *shameful invasion of His Majesty's territory*—yet, that territory was the territory also of the savage enemy, and Spain was bound to restrain them, by force, from hostilities against the United States: and it was the failure of Spain to fulfil this engagement, which had made it necessary for general Jackson to pursue the savage across the line. What then was the character of Nicholls's invasion of His Majesty's territory; and where was His Majesty's profound indignation at that? Mr. Pizarro says, His Majesty's forts and places have been violently seized on by general Jackson. Had they not been seized on, had not the principal of his forts been blown up by Nicholls; and a British fort on the same Spanish territory been erected during the war, and left standing as a Negro fort, in defiance of Spanish authority, after the peace? Where was His Majesty's profound indignation at that? Has His Majesty suspended formally all negotiation with the sovereign of colonel Nicholls, for the shameful invasion of his territory without color of provocation, without pretence of necessity, without the shadow or even avowal of a pretext? Has His Majesty given solemn warning to the British government, that these were incidents "of transcendent moment capable of producing an essential and thorough change in the political relations of the two countries?" Nicholls and Woodbine, in their invitations and promises to the slaves to runaway from their masters and join them, did not confine themselves to the slaves of the United States—they received with as hearty a welcome and employed with equal readiness, the fugitive, XXV.] from their masters, in Florida, as those from Georgia. Against this special injury the governor of Pensacola did earnestly remonstrate with the British admiral Cockburn (see the document marked XXV.) but against the *shameful invasion* of the territory—against the violent seizure of the forts and places—against the blowing up of the Barrancas, and the erection and maintenance under British banners, of the Negro fort on Spanish soil—against the negotiation by a British officer in the midst of peace, of pretended treaties, offensive and defensive, and of navigation and commerce upon Spanish territory, between Great

Britain and Spanish Indians, whom Spain was bound to control and restrain—if a whisper of ex-postulation was ever wafted from Madrid to London, it was not loud enough to be heard across the Atlantic, nor energetic enough to transpire beyond the walls of the palaces from which it issued, and to which it was borne.

The connection between Arbuthnott and Nicholls, and between Armbrister, Woodbine and McGregor, is established beyond all question, by the evidence produced at the trials before the court martial. I have already remarked to you on the very extraordinary circumstance, that a British trader from beyond the sea should be permitted, by the Spanish authorities, to trade with the Indians of Florida. From his letter to Hamby, dated 3d May, 1817, (see the documents marked G in the proceedings of the court martial) it appears that his trading was but a pretence; and that his principal purpose was to act as the agent of the Indians of Florida, and outlaws from the Creeks, to obtain the aid of the British government, in their hostilities against the United States. He expressly tells Hamby there, that the chief of those outlaws was the principal cause of his, Arbuthnott's, being in the country; and that he had come with an answer from earl Bathurst, delivered to him by governor Cameron, of New Providence, to certain Indian talks, in which this aid of the British government had been solicited. Hamby, himself, had been left by Nicholls, as the agent between the Indians and the British government; but having found that Nicholls had failed in his attempt to prevail upon the British government to pursue this clandestine war, in the midst of peace; and that they were not prepared to support his pretence, that half a dozen outlawed fugitives from the Creeks were the Creek nation;—when Arbuthnott, the incendiary came, and was instigating them, by promises of support from Great Britain, to commence their murderous incursions into the United States, Hamby, at the XLVII. b.] request of the Creeks themselves, wrote to him, warning him to withdraw from among that band of outlaws, and giving him a solemn foreboding of the doom that awaited him, from the hand of justice, if he persevered in the course that he pursued. Arbuthnott, nevertheless, persisted; and while he was deluding the wretched Indians with the promise of support XLIX.] from England, he was writing letters for

b. them to the British minister in the United States, to governor Cameron, of New Providence, to colonel Nicholls; to be laid before the British government; and even to f. the Spanish governor of St. Augustine, XLIX.] and the governor general of the Havana, soliciting, in all quarters, aid and support, arms, and ammunition, for the Indians, against the United States; bewailing the destruction of the Negro fort, and charging the British government with having drawn the Indians into war with the United States, and deserting them after the peace.

You will remark among the papers produced on XLIX. No. 1.] his trial, a power of attorney, dated 17th June, 1817, given him by twelve Indians, partly of Florida, and partly of the fugitive outlaws from the United States. He states that this power, and his instructions, were, to memorialize the British government, and the governor general of the Havana. These papers are not only substantially proved, as of his hand writing, on the [Compare XLVII. a. trial, but in the daily news-

and XLIX. b.]
XLVII. c.]

papers of London, of the 24th and 25th of Aug. last, his letter to Nicholls is published, (somewhat garbled) with a copy of Hamby's abovementioned letter to him, and a reference to this Indian power of attorney to him, approved by the commandant of St. Marks, F. C. Luengo. Another of the papers is a letter, written by Arbuthnott, to the governor general of the Havana, asking of him permission for Arbuthnott to establish a warehouse on the Appalachicola; bitterly and falsely complaining that the Americans had made settlements on their lands, within the Spanish lines, and calling upon the governor general to give orders to displace them, and send them back to their own country. In this letter they assign, as a reason for asking this license for Arbuthnott, the want of a person to put in writing for them their talks, of grievances against the Americans. And they add, "the commander of the fort of St. Marks has heard all of our talks and complaints. He approves of what we have done, and what we are doing; and it is by his recommendation we have thus presumed to address your excellency." You will find these papers in the printed newspaper enclosed, and in the proceedings of the court martial, and will point them out to the Spanish government, not only as decisive proofs of the unexampled compliances of the Spanish officers in Florida, to foreign intrusive agents and instigators of Indian hostilities against the United States, but as placing, beyond a doubt, that participation of this hostile spirit in the commandant of St. Marks, which general Jackson so justly complains of; and of which we have so well founded a right to demand the punishment. Here is the commandant of Spanish fort, bound by the sacred engagement of a treaty to restrain, by force, the Indians within his command from committing hostilities against the United States, conspiring with those same Indians, and deliberately giving his written approbation to their appointment of a foreigner, a British subject, as their agent, to solicit assistance and supplies from the governor general of the Havana, and from the British government, for carrying on these same hostilities.

Let us come to the case of Armbrister—He was taken in arms, leading and commanding the Indians, in the war against the American troops; and to that charge, upon his trial, pleading guilty. But the primary object of his coming there, was still more hostile to Spain, than to the United LVIII. States. You find that he told three of the witnesses, who testified at his trial, that he had come to this country upon Mr. Woodbine's business at Tampa Bay—to see the Negroes righted; and one of them, that he had a commission in the Patriot army, under McGregor; and that he had expected a captaincy. And what was the intended business of McGregor and Woodbine, at Tampa Bay? It was the conquest of Florida from Spain, by the use of those very Indians and Negroes, whom the commandant of St. Marks was so ready to aid and support in war against the United States. The chain of proof that establishes this fact, is contained in the documents communicated by the President to Congress at their last session, relating to the occupation of LVI.] Amelia Island by McGregor. From these documents you will find, that while M'Gregor was

there, Woodbine went from New Providence, in a schooner of his own, to join him: That he arrived at Amelia Island, just as McGregor, abandoning the companions of his achievement there, was leaving it: That McGregor, quitting the vessel in which he had embarked at Amelia, went on board that of Woodbine, and returned with him to New Providence: That Woodbine had persuaded him they could yet accomplish the conquest of Florida, with soldiers to be recruited at Nassau, from the corps of Colonial Marines, which had served under Nicholls during the late war with the United States, which corps had been lately disbanded; and with Negroes to be found at Tampa Bay, and 1500 Indians, already then engaged to Woodbine, who pretended that they had made a grant of all their lands there to him. **LVII. a b]** Among the papers, the originals of which are in our possession, in McGregor's own hand writing, instructions for sailing into Tampa Bay, with the assertion that he calculated to be there by the last of April or first of May, of the d.] present year; a letter dated 27th December last, to one of his acquaintance in this country, e.] disclosing the same intention; and the extract of a proclamation which was to have been issued at Tampa Bay, to the inhabitants of Florida, by the person charged with making the settlement there, before his arrival, announcing his approach, for the purpose of liberating them from the despotism of Spain, and of enabling them to form a government for themselves. He had persuaded those who would listen to him here, that his ultimate object was to sell the Floridas to the United States. There is some reason to suppose that he had made indirect overtures, of a similar nature, to the British government. This was Armbister's business in Florida. He arrived there in **XLIIX. J. March**, the precursor of McGregor and Woodbine, and, immediately upon his arrival, he is found seizing upon Arbuthnott's goods, and distributing them among the Negroes and Indians; seizing upon his vessel, and compelling its master to pilot him, with a body of armed Negroes, towards the fort of St. Marks, with the declared purpose of taking it by surprise, in the night. Writing letters to governor Cameron, of New Providence; urgently calling for supplies of munitions of war, and of cannon, for the war against the Americans; and letters to col. Nicholls, renewing the same demands of supplies; informing him that he is with 300 Negroes, 'a few of our Bluff people,' who had stuck to the cause, and were relying upon the faith of Nicholls's promises. Our Bluff people were the people of the Negro fort, collected by Nicholls's and Woodbine's proclamations, during the American and English war; and the cause to which they stuck, was the savage, servile, exterminating war against the United States.

Among the agents and actors of such virtuous enterprizes as are here unveiled, it was hardly expected that there would be found remarkable evidences of their respect, confidence, and good faith towards one another. Accordingly, besides the violent seizure and distribution, by Armbister, of Arbuthnott's property, his letters to governor Cameron, and to Nicholls, are filled with the distrust and suspicions of the Indians, that they were deceived and betrayed by Arbuthnott: while in Arbuthnott's letters to the same Nicholls, he accuses Woodbine of having taken charge of **XLIIX. f.]** poor Francis, the prophet, or Hillis

Hadjo, upon his return from England to New Providence, and under pretence of taking care of him and his affairs—of having defrauded him of a large portion of the presents which had been delivered out from the king's stores to him, for Francis's **XLVII. a.]** use. This is one of the passages of Arbuthnott's letter to Nicholls, omitted in the publication of it last August, in the London newspapers.

Is this narrative of dark and complicated depravity; this creeping and insidious war, both against Spain and the United States; this mockery of patriotism; these political philanders to fugitive slaves and Indian outlaws; these perfidies and treacheries of villains incapable of keeping their faith even to each other, all in the name of South American liberty, of the rights of runaway Negroes, and the wrongs of savage murderers—all combined and projected to plunder Spain of her provinces, and to spread massacre and devastation along the borders of the United States? Is all this sufficient to cool the sympathies of his Catholic Majesty's government, excited by the execution of these two "subjects of a power in amity with the king?" The Spanish government is not at this day to be informed that, cruel as war in its mildest forms must be, it is, and necessarily must be, doubly cruel, when waged with savages; that savages make no prisoners, but to torture them; that they give no quarter; that they put to death without discrimination of age or sex; that these ordinary characteristics of Indian warfare have been applicable, in their most heart-sickening horrors, to that war, left us by Nicholls, as his legacy, reinstigated by Woodbine, Arbuthnott and Armbister, and stimulated by the approbation, encouragement, and aid of the Spanish commandant at St. Marks. Is proof required? Intreat the Spanish minister of state, for a moment, to overcome the feelings which details like these must excite, and to reflect, if possible, with composure, upon the facts stated in the following extracts from the documents enclosed:

Letter from sailing master Jairus Loomis to commodore Daniel T. Patterson, 13th August, **XXIII. 1816**, reporting the destruction of the Negro Fort.

"On examining the prisoners, they stated that Edward Daniels, O. S. who was made prisoner in the boat, on the 17th July, was tarred and burnt alive."

Letter from Archibald Clarke to general Gaines, 26th February, 1817. (Message of the President of the United States to Congress, 25th March, 1818, p. 9.)

"On the 24th inst. the house of Mr. Garrett, residing in the upper part of this county, near the boundary of Wayne county, (Georgia) was attacked, during his absence, near the middle of the day, by this party, (of Indians) consisting of about fifteen, who shot Mrs. Garrett, in two places, and then dispatched her by stabbing and scalping. Her two children, one about three years, and the other two months, were also murdered and the eldest scalped: the house was then plundered of every article of value, and set on fire."

LXI.] Letter from Peter B. Cook (Arbuthnott's clerk) to Eliz. A. Carney, at Nassau, dated Suwanee, 19th January, 1818, giving an account of their operations with the Indians, against the Americans, and their massacre of lieutenant Scott and his party.

" There was a boat that was taken by the Indians, that had in thirty men, seven women, four small children. There were six of the men got clear, and one woman saved, and all the rest of them got killed. The children were took by the leg, and their brains dashed out against the boat."

If the bare recital of scenes like these cannot be perused without shuddering, what must be the agonized feelings of those wives and children are, from day, to-day, and from night to night, exposed to be the victims of the same barbarity? Has mercy a voice to plead for the perpetrators and instigators of deeds like these? Should inquiry hereafter be made, why, within three months after this event, the savage Iamathli Micco, upon being taken by the American troops, was, by order of their commander, immediately hung, let it be told that that savage was the commander of the party by which those women were butchered, and those helpless infants were thus dashed against the boat. Contending with such enemies, although humanity revolts at entire retaliation upon them, and spares the lives of their feeble and defenceless women and children, yet mercy herself surrenders to retributive justice the lives of their leading warriors taken in arms—and still more the lives of the foreign, white incendiaries, who, disowned by their own governments, and disowning their own natures, degrade themselves beneath the savage character, by voluntarily descending to its level. Is not this the dictate of common sense? Is it not the usage of legitimate warfare? Is it not consonant to the soundest authorities of national law? "When at war (says Vattel) with a ferocious nation, which observes no rules and grants no quarters, they may be chastised in the persons of those of them who may be taken; they are of the number of the guilty; and by this rigor the attempt may be made of bringing them to a sense of the laws of humanity." And again; "As a general has the right of sacrificing the lives of his enemies to his own safety or that of his people, if he has to contend with an inhuman enemy, often guilty of such excesses, he may take the lives of some of his prisoners, and treat them as his own people have been treated."

The justification of these principles is found in their salutary efficacy, for terror and for example. It is thus only that the barbarities of Indians can be successfully encountered. It is thus only that the worse than Indian barbarities of European impostors, pretending authority from their governments, but always disavowed can be punished and arrested. Great Britain yet engages the alliance and co-operation of savages in war. But her government has invariably disclaimed all countenance or authorization to her subjects to instigate them against us in time of peace. Yet so it has happened, that from the period of our established independence to this day, *all* the Indian wars with which we have been afflicted have been distinctly traceable to the instigation of English traders or agents, always disavowed, yet always felt, more than once detected, but never before punished. Two of them, offenders of the deepest dye, after solemn warning to their government, and individually to one of them, have fallen, *flagrante delicto*, into the hands of an American general; and the punishment inflicted upon them has fixed them on high as an example, awful in its exhibition, but, we trust, auspicious in its results, of that which awaits unauthorized pre-

ulators of European agency, to stimulate, and interpose in wars between the United States and the Indians, within their control.

This exposition of the origin, the causes, and the character of the war with the Seminole Indians and part of the Greeks, combined with McGregor's mock patriots and Nicholls's Negroes, which necessarily led our troops into Florida, and gave rise to all those incidents of which Mr. Pizarro so vehemently complains, will, it is hoped, enable you to present other and sounder views of the subject to his Catholic Majesty's government. It will enable you to show that the occupation of Pensacola and St. Marks was occasioned neither by a spirit of hostility to Spain, nor with a view to extort, prematurely, the province from her possession; that it was rendered necessary by the neglect of Spain to perform her engagements of restraining the Indians from hostilities against the United States, and by the culpable countenance, encouragement, and assistance given to those Indians, in their hostilities, by the Spanish governor and commandant at those places. That the United States have a right to demand, as the President does demand, of Spain the punishment of those officers for this misconduct; and he further demands of Spain a just and reasonable indemnity to the United States for the heavy and necessary expenses which they have been compelled to incur, by the failure of Spain to perform her engagement, to restrain the Indians, aggravated by this demonstrated complicity of her commanding officers with them, in their hostilities against the United States: That the two Englishmen executed by order of Gen. Jackson where not only identified with the savages, with whom they were carrying on the war against the United States, but that one of them was the mover and fomenter of the war, which, without his interference and false promises to the Indians of support from the British government, never would have happened—that the other was the instrument of war against Spain as well as the United States, commissioned by McGregor, and expedited by Woodbine, upon their project of conquering Florida with these Indians and negroes: That, as accomplices of the savages, and, sinning against their better knowledge, worse than savages, general Jackson, possessed of their persons and of the proofs of their guilt, might, by the lawful and ordinary usages of war, have hung them both without the formality of a trial. That, to allow them every possible opportunity of refuting the proofs or of showing any circumstance in extenuation of their crimes, he gave them the benefit of a trial by a court martial, of highly respectable officers: That the defence of one consisted, solely and exclusively, of technical cavils at the nature of part of the evidence against him, and the other confessed his guilt. Finally, that, in restoring Pensacola and St. Marks to Spain, the President gives the most signal proof of his confidence, that hereafter her engagement to restrain, by force, the Indians of Florida from all hostilities against the United States, will be effectually fulfilled; that there will be no more murders, no more robberies within our borders, by savages prowling along the Spanish line, and seeking shelter within it, to display in their villages the scalps of our women and children, their victims, and to sell, with shameless effrontery, the plunder from our citizens in Spanish forts and cities; that we shall hear no more apologies from Spanish governors and commandants, of their

inability to perform the duties of their office and the solemn contracts of their country—no more excuses for compliances to the savage enemies of the United States from the dread of their attacks upon themselves—no more harbouring of foreign impostors, upon compulsion; that a strength sufficient will be kept in the province to restrain the Indians by force, and officers empowered and instructed to employ it effectually to maintain the good faith of the nation, by the effective fulfilment of the treaty. The duty of this government to protect the persons and property of our fellow citizens on the borders of the United States is imperative—it must be discharged—and if, after all the warnings that Spain has had—if, after the prostration of all her territorial rights and neutral obligations, by Nicholls and his banditti, during war, and of all her treaty stipulations, by Arbuthnot and Armbister, abetted by her own commanding officers, during peace, to the cruel annoyance of the United States—if the necessities of self-defence should again compel the United States to take possession of the Spanish forts and places in Florida, declare, with the candor and frankness that become us, that another unconditional restoration of them must not be expected; that even the President's confidence in the good faith and ultimate justice of the Spanish government will yield to the painful experience of continual disappointment; and that, after unwearied and almost unnumbered appeals to them, for the performance of their stipulated duties, in vain, the United States will be reluctantly compelled to rely, for the protection of their borders, upon themselves alone.

You are authorized to communicate the whole of this letter and the accompanying documents to the Spanish government.

I have the honor, &c. &c.

JOHN QUINCY ADAMS,

Congress of the United States.

SENATE.

Friday, February 5.

The President communicated to the Senate the annual report of the state of the sinking fund; and, likewise a report of the Secretary of War, embracing a statement of moneys transferred during the late recess of Congress, by authority of the President of the United States, from one specific appropriation to another; which reports were read.

Mr. Wilson submitted the following resolution:

Resolved, That the committee on the militia be instructed to inquire into the expediency of making some further provision by law for insuring annual and accurate returns of the militia of the several states and territories.

The resolution was agreed to.

Mr. Tait, from the committee on naval affairs, to whom was referred a message of the President of the United States of the 18th April last, transmitting a copy of the orders and regulations of the navy, reported the following resolution, which was read:

Resolved, That the Secretary of the Navy, under the direction of the President of the United States, report to the Senate, in the first week of the next session, whether the rules, regulations, and instructions prepared by the board of navy commissioners, in obedience to the act of the 15th

of February, 1815, are conformable to existing laws, and, if there is any interference, wherein; and, if any, what legislative provision may, in the opinion of the said Secretary, be necessary to give force and effect to the said rules, regulations and instructions; and, also, to report, as aforesaid, any other provision which the said Secretary may deem proper for the more perfect administration of any branch of the naval service.

On motion of Mr. Forsyth, it was

Resolved, That the committee on the District of Columbia, be instructed to inquire into the expediency of amending the laws existing in the county of Washington, in the District of Columbia, regulating the seizure and sale of persons of color, suspected to be runaway slaves.

The report of the committee of claims, unfavorable to the petition of Christopher Fowler, was taken up, and, on motion, it was reversed, and the committee of claims instructed to prepare a bill for his relief.

A message was received from the President of the United States, transmitting, in compliance with the resolution of the Senate of the 25th ultimo, a report from the Secretary of War, respecting the rules and regulations adopted for the Military Academy at West Point, the number of Cadets admitted into the Academy, the number who have received appointments in the army, &c. which message and documents were read.

The bill more effectually to provide for the punishment of certain crimes against the United States, was taken up, and, after undergoing some consideration, was, on motion of Mr. Forsyth, re-committed to the judiciary committee for further consideration.

The report of the committee of claims on the petition of John Anderson, of Michigan territory, was taken up, and, on motion of Mr. Ruggles, the committee were instructed to bring in a bill for his relief.

The report of the committee of claims unfavorable to the petition of Augustus Sacket, was taken up and concurred in.

The Senate resumed the consideration of the bill to incorporate the Medical Society of Washington City, which, having been amended, was ordered to be engrossed for a third reading.

The bill supplemental to the act further to amend the charter of the City of Washington; the bill for the relief of John Clark; the bill for the relief of Samuel Ward; the bill for the relief of John A. Dix; the bill for the relief of Samuel F. Hooker, and the bill for the relief of John B. Timberlake, were respectively considered, and severally ordered to be engrossed and read the third time.

The bill from the House of Representatives to incorporate the Benevolent association of Clerks in the City of Washington, was read the third time, as amended, passed and returned to the other House.

The engrossed bills authorizing a subscription to the 11th and 12th volumes of Wait's edition of State Papers; and the engrossed bill to provide for sick and disabled seamen, were severally read the third time, passed and sent to the other House for concurrence therein.

The bill to authorize the corporation of the City of Washington to extend certain streets, (across the mall) was taken up, and, on the motion of Mr. Goldsborough, postponed to a day beyond the session.

Mr. Goldsborough, from the committee of the District of Columbia, reported a bill authorizing the purchase of two fire engines, of the first class, proper suction pipes, and 600 feet of elastic web hose, for the protection of the public and other buildings in the City of Washington; which bill was read.

Monday, February 8.

Mr. Goldsborough, from the committee of claims, reported a bill for the relief of Christopher Fowler, of John Petit, of John Prevost, of Bart. Duvenege, and Alexander Milne, which were severally read; and also an unfavorable report on the petition of Joseph Lefebre.

Mr. Burrill, from the judiciary committee, reported some amendments to the bill to provide for the punishment of certain crimes against the United States.

Mr. Ruggles, from the committee of claims, reported a bill for the relief of John Anderson, which was read.

On motion of Mr. Dickerson, the committee on finance were instructed to inquire into the expediency of so far altering the laws for appointing collectors, district attorneys, receivers of public moneys, surveyors of public land, registers, &c. as to have those officers appointed for limited periods, and subject to removal as heretofore.

The engrossed bills supplementary to the act further to amend the charter of the city of Washington; for the relief of Samuel Ward; for the relief of John Clark; for the relief of John A. Dix; and for the relief of John B. Timberlake, were severally read the third time, passed, and sent to the House of Representatives for concurrence.

The bills from the other House, to incorporate the Medical Society of the City of Washington; and for the relief of Samuel F. Hooker, were severally read the third time and passed—the first with amendments.

Mr. Morril submitted the resolution, (already noticed,) to request the president to dismiss certain officers from service, concerned in a late duel.

Mr. Eaton, from the committee appointed on that subject, reported a bill supplemental to the act of 1817, to prohibit the importation of slaves into the United States; which bill was read.

The bill authorizing the payment of a sum of money to the officers and crews of gun boats 149 and 154, was taken up; and, on the question of ordering it to a third reading, it was negatived—and the bill of course rejected.

Tuesday, February 9.

Mr. Williams, of Tenn. from the military committee, made an unfavorable report on the petition of Harbaugh and Potter.

The bill more effectually to provide for the punishment of certain crimes against the United States was taken up; and the amendments reported thereto by the judiciary committee, having been agreed to, they were ordered to be engrossed, and with the bill be read a third time.

Mr. Morrow, from the committee to whom the subject had been referred, reported a bill making further provision for the sale of the public lands; which was read.

The senate resumed the consideration of the motion submitted yesterday by Mr. Morril, to request the President to dismiss certain officers from service; it was, after some discussion, withdrawn by the mover, who substituted the following, which was agreed to:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law for the punishment of all persons concerned in duelling within the District of Columbia.

The Senate took up a motion made yesterday by Mr. Tichenor, to direct the committee of commerce and manufactures to inquire into the expediency of uniting the districts of Alburg and Champlain, in Vermont, into one district, and agreed thereto.

The engrossed bills to authorize the President to purchase the lands reserved by the act of 1817, to certain Creek chiefs and warriors; to provide a grant of land for the seat of government of the state of Mississippi, and for the support of a seminary of learning; and confirming Anthony Cavalier and Peter Petit in their claim to a tract of land, were severally read the third time, passed, and sent to the House of Representatives for concurrence.

The Senate resumed the consideration of the bill to extend for a further time of five years, the pensions heretofore granted to the widows and orphans of the officers and soldiers who died or were killed in the late war with Great Britain.

Mr. Lacock moved that it be postponed to the 5th of March next, (to reject the bill,) which motion was decided in the affirmative.

Wednesday, February 10.

Mr. Noble, from the committee on pensions, reported the bill from the House of Representatives for the relief of Hannah King and Luther Frink, with an amendment embracing the cases of Thomas Lucas and Abraham Edwards; which was read.

On motion of Mr. Morrow, the committee on public lands were discharged from the further consideration of the petition of William Edgar and Alexander McComb.

Mr. M. from the committee on the public lands, reported a bill, providing for the correction of errors in making entries of lands; which was read.

A motion made yesterday by Mr. Taylor, to instruct the committee on the post office to inquire into the expediency of establishing a post route from Elizabeth, in Hardin county, Kentucky, by Fredonia, Mount Sterling, to Paoli, in Indiana, was taken up and agreed to.

Mr. Burrill, from the committee on the Judiciary, to whom the subject had been referred, reported a bill relative to the patent office and to the salary (reported in blank) of the Superintendent thereof; which was read.

The Senate resumed the consideration of the bill "concerning the widows of the militia," (granting five years' pension to the widows of such of the militia as died within four months after their return home, of disease contracted in service;) and

On motion of Mr. Lacock, the bill was postponed a day beyond the session, and of course rejected.

The Senate then resumed the consideration of the bill providing for the erection of an equestrian statue of general Washington, in pursuance of the resolution of the Congress of 1783.

Considerable discussion took place on this subject; in the course of which Mr. Wilson moved to postpone the bill to the 5th of March, (to reject it) with a view of then moving for estimates of expense, &c. to be reported to the House at the

next session; which motion was decided by yeas and nays, as follows:

For the postponement—Messrs. Barbour, Burrill, Crittenden, Dickerson, Edwards, Eppes, Lacock, Leake, Macon, Morrow, Noble, Palmer, Roberts, Ruggles, Tait, Taylor, Williams, of Md., Wilson—18.

Against the postponement—Messrs. Daggett, Eaton, Forsth, Fromentin, Goldsborough, Horsey, Hunter, Johnson, King, Mellen, Morrill, Otis, Sanford, Stokes, Talbot, Tiebenor, Van Dyke, Williams, of Ten.—18.

The Senate being equally divided on the question,

The President gave the casting vote against postponing the bill, and the motion was accordingly negatived.

After further debate as to the amount necessary to be appropriated for the object—

The bill was laid over until to-morrow.

The joint resolution for transmitting, free of postage, the documents which accompanied the report of the Bank committee, was received from the House of Representatives, read three times by general consent, passed, and returned to the House.

The bill making appropriations to carry into effect treaties with certain Indian tribes; and the bill for the relief of Daniel Pettibone, were severally taken up and considered, and ordered to be engrossed for a third reading.

Several bills were read the second time.

The bill from the other House, directing the payment of certain bills drawn by general Armstrong, was considered and also ordered to a third reading.

The engrossed bill more effectually to provide for the punishment of certain crimes against the United States, and for other purposes was read the third time, passed, and sent to the House of Representatives for concurrence.

The Senate then went into the consideration of Executive business, which occupied it until it adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, February 3.

Mr. Smith, of Maryland, from the committee of ways and means, reported a bill providing additional penalties for false entries for the benefit of drawback or bounty on exportation; also a bill for the relief of Ambrose Vasse.

Mr. Robertson, from the committee on private land claims, made a report on the petition of James Hughes, accompanied by a bill for his relief; all of which bills were severally twice read and committed.

On motion of Mr. Robertson, the committee on private land claims were discharged from the further consideration of the petition of Michael M'Elroy.

Thursday, February 4.

The house met this morning under closed doors, and continued in private session until near 4 o'clock, when the doors were opened, and the injunction of secrecy having been in part removed from the secret proceedings, it appeared that the amendments proposed by the Senate to the military appropriation bill, to carry into effect certain stipulations of the late treaty with the Chickasaw Indians, had been the subject of the private deliberations of the house, which resulted in concurrence with the Senate's amendments.

Friday, February 5.

Mr. Smith of Md. from the committee of ways and means, to whom an inquiry into the subject

had been referred, reported that it is inexpedient to authorise the appointment of an agent in each of the counties of the several states to receive the tax due to the general government on lands which are or may be sold for non-payment of the taxes; which report was read and concurred in by the house.

On motion, the committee on military affairs were discharged from the further consideration of the petition of Sarah Easton and Dorothy Storer.

The Speaker laid before the house the annual report of the commissioners of the sinking fund.

The Speaker also laid before the house a letter from Joseph Lancaster, expressive of the gratitude with which he is penetrated for the honor conferred on him in admitting him to a seat within the hall of the House of Representatives; which letter was read and laid on the table.

The house took up the report of the committee of ways and means, made at the last session, on the petition of Lawrence Muse, and, on motion of Mr. Garnett, it was recommitted to the same committee.

On motion of Mr. Cushman, the committee on the post office were instructed to inquire into the expediency of establishing post routes, in New York, from Troy through Brunswick and Greenbush, to Sandlake, and from Cambridge through Hosack, Berlin and Shepherdstown, to Lebanon; and

The resolution from the Senate proposing an amendment to the constitution of the United States was twice read and committed to a committee of the whole on the state of the Union.

The engrossed bill providing additional penalties for false entries for the benefit of drawback, &c. was read the third time, passed and sent to the Senate for concurrence.

The Speaker laid before the House a report from the Secretary of War, exhibiting a statement of the moneys transferred from one specific appropriation to another, during the last recess of Congress, &c.

A message was received from the President of the United States, by Mr. J. J. Monroe, the same as that received yesterday by the Senate, on the subject of British applications for restitution of property; which was read and referred to the committee of claims.

Saturday, February 6.

On motion of Mr. Scott, and Mr. Murray, respectively, the committee on post offices and post roads were instructed to inquire into the expediency of establishing the following post-roads:

"From the Seat of Justice, in Franklin county, to the Seat of Justice in Montgomery county; also from St. Louis, by Belle Fontaine, and Portage Des Sioux to the Seat of Justice of Lincoln county; also, from St. Michael, in Madison county, to the Seat of Justice in the county of Wayne; thence to Hick's Ferry, on the road to Lawrence Court-House, and from Jackson, in Cape Girardeau county, to the Seat of Justice in the county of Wayne.

From Halifax in Dauphin county, along the east side of the Susquehannah river, to Sunbury, in Northumberland county, Pennsylvania."

Mr. Robert Moore offered for consideration the following resolution:

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of authorizing the Secretary of the Treasury to subscribe — shares in the stock of the road laid

out from Pittsburgh, in the county of Alleghany, to Waterford, in the county of Erie, in the state of Pennsylvania.

The motion was agreed to.

The bill from the Senate "to provide for the relief of sick and disabled seamen;" and the bill authorizing a subscription for the 11th and 12th volumes of state papers, were twice read and committed.

The engrossed bill to authorize the Secretary of War to appoint an additional agent for paying pensioners of the United States in the state of Tennessee, was read a third time, passed, and sent to the Senate for concurrence.

The following message was received from the President of the United States, by Mr. J. J. Monroe, his Secretary:

To the House of Representatives.

I transmit to Congress a copy of a letter from governor Bibb to major general Jackson, connected with the late military operations in Florida. This letter had been mislaid, or it would have been communicated with the other documents at the commencement of the session.

JAMES MONROE.

Washington, Feb. 6, 1819.

Fort Crawford, 9th May, 1818.

Dear Sir,—Proceeding to Georgia for the purpose of bringing my family to this territory, and desirous to provide for the safety of the inhabitants on the frontiers during my absence, I have sought an interview with the officer in command at this place. At camp Montgomery I learned that you would probably reach this place in a few days, and indulged the hope of seeing you. An interview with you would have been to me a source of much pleasure, and I regret that my arrangements will not permit me to await your arrival.

The Indians commenced their murderous incursions on the frontier settlements in January last, when two men were killed in this neighborhood. No events occurred afterwards to excite apprehension until the 14th of March, when a house on the federal road, near the Poplar Spring, was attacked, and eight persons killed. This intelligence reached me at Claiborne, from whence a detachment of mounted riflemen was immediately ordered to the place for one month's service. A few days afterwards, five men, while travelling the road, were fired at, and three killed, from whom fifteen hundred or two thousand dollars were taken. The people, for the most part, were flying for safety in every direction, and all communication, by mail or otherwise, with Georgia, wholly suspended. The Indians were known to be still in that quarter. In this state of things, three posts were established by my order, at which there are, in the whole, about an hundred men, who have instructions to scour the woods from day to day. A fortnight since they found a camp, but, on their approach, the enemy fled to a contiguous swamp, from whence they fired, and killed one man. The commanding officer informs me that he thinks the number of Indians in the neighborhood considerable. I should have mentioned that, in April, a house, within fifteen or twenty miles of Claiborne, was attacked, the husband killed, and wife and two daughters wounded. Thirty dollars, quantity of bacon, and every article which could be conveyed away, were taken and carried to Pensacola, where, I believe, the murderers might still be found.

I yesterday learned that one Indian was killed and another wounded near the Poplar Spring.

This detail of events, however, was probably unnecessary, as you will receive from major Youngs every intelligence upon the subject. My principal object is to state that, in my efforts to protect the people over whom I preside, the territorial treasury, being destitute of funds, has afforded me no supplies whatever; nor has it been in the power of the commanding officer here to render the aid which he has uniformly manifested in the best disposition to afford. I am desirous that the troops should be considered as in the service of the United States, and the accounts adjusted when their term of service expires. One company rendezvoused at Poplar Spring, for three months' service, on the 10th of April, and a detachment of twenty-five at Sepulga, lately, for the same term of service. The expenditures incurred have been necessarily considerable, and altogether beyond my means of paying. You will readily perceive how unpleasant has been my situation, without the means of affording the protection necessary to keep the inhabitants at their homes. The regular force in this quarter has been insufficient for the defence of the country; the militia I have not had time to organize; and, above all, not a dollar in the treasury. My views of the necessity of forwarding men and money to this section of the country, have been repeatedly stated to colonel Trimble; but I apprehend it has not been in his power to meet them. Having endeavored in vain, with my limited resources, to arrest the enemy, after their successive murders, and being satisfied that they sought refuge in Florida, I determined to raise a volunteer force, and order them to attack the hostile Indians, without regard to our boundary. A part of the force is now under the command of major Youngs, and captain Stull is in possession of my order. Had I been furnished with funds, the enemy would have been driven from that retreat long before this time; persuaded as I am that it is the only effectual method of affording security to this Territory.

I have this moment received intelligence which leaves no doubt of your approach to this quarter, and I shall now leave the territory perfectly satisfied that the people will not suffer by my absence. Mr. Henry Hitchcock^{is} appointed territorial Secretary, and will act as governor after I set out from Fort Jackson, which will be the 26th or 27th of the month. I may, however, be detained a few days longer in arranging with the Big Warrior the reception of a party of Indians who have sued for peace, and delivered themselves to major Youngs. This they did so soon as the major convinced them, by a well-timed and well executed expedition, that they would no longer be permitted to murder our citizens, and find refuge in the Spanish territory.

There are at this place forty volunteers, and the same number of militia at camp Montgomery. Should you need any additional aid from the territory, it would be promptly furnished, should you notify me at Fort Jackson before my departure.

I enclose to you a letter I have received from the commanding officer of the militia near the Poplar Spring, which will present to you the state of things in that quarter. Excuse this hasty scrawl, and accept the assurances of my regard and esteem.

WM. W. BIBB.

Major Gen. Andrew Jackson.